

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
ELI REISMAN,	:	
	:	
Plaintiff,	:	
	:	23 Civ. 620 (LGS)
-against-	:	
	:	<u>ORDER</u>
NORTHEASTERN POWER AND GAS LLC,	:	
Defendant.	:	
-----	X	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, this action started as a claim by Plaintiff Eli Reisman against Northeastern Power & Gas, LLC (“NEPG”) for alleged violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227(b). NEPG then asserted a third-party claim for contractual indemnification against Electric Green Life Inc., its alter ego Electric Green Life, LLC (“EGL”) and EGL’s President Mark Bassili. NEPG settled its dispute with Reisman and, pursuant to its agreement with EGL, sought recovery of the settlement amount, attorney’s fees and costs from EGL and Bassili. Both EGL and Bassili failed to appear in the action. On August 14, 2023, default judgment was entered against EGL and Bassili and the matter was referred to Judge Lehrburger for a damages inquest. Since then, Bassili appeared and moved to vacate the default judgment. That motion was also referred to Judge Lehrburger;

WHEREAS, on February 26, 2024, Judge Lehrburger issued a Report and Recommendation (the “Report”) recommending that Bassili’s motion be denied and that judgment be entered awarding NEPG a total of \$106,591.58;

WHEREAS, as stated in the Report, the deadline for any objections was fourteen days from service of the Report;

WHEREAS, no objections were timely filed;

WHEREAS, in reviewing a magistrate judge’s report and recommendation, a district

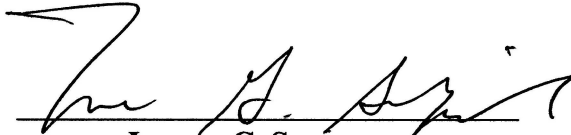
judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). “In a case such as this one, where no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Kuan v. Notoriety Grp. LLC*, No. 22 Civ. 1583, 2023 WL 3936749, at *1 (S.D.N.Y. June 9, 2023);

WHEREAS, the Court finds no clear error on the face of the record as to Judge Lehrburger’s recommendations. It is hereby

ORDERED and ADJUDGED that the Report is ADOPTED in full, for the reasons stated in the Report.

The Clerk of Court is respectfully directed to terminate the motion at Dkt. No. 70 and to close this case.

Dated: March 12, 2024
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE